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DIGEST OF RECENT VIRGINIA DECISIONS.

Supreme Court of Appeals.

Note.—In this department we give the syllabus of every case decided by the Virginia Supreme Court of Appeals, except of such cases as are reported in full.

BLANKENSHIP v. COMMONWEALTH.

June 15, 1922.

[112 S. E. 622.]

1. Larceny (§ 5*)—To Convict State Must Show that the Dogs Have Been Assessed with a License Tax Which Is Not Delinquent.—In view of Code 1919, § 2324, providing that all dogs which have been assessed with a license tax which is not delinquent shall be deemed personal property and may be the subject of larceny, to sustain a conviction under section 4440, defining grand larceny, it must be shown that the dogs were assessed with a license tax which was not delinquent at the time of the theft; section 4445, providing that dogs in certain cities and counties shall be deemed personalty whether listed for taxes or not, applying only to petit larceny, and not embracing the territory where the case arose.

[Ed. Note.—For other cases, see 9 Va.-W. Va. Enc. Dig. 217.]

2. Larceny (§ 5*)—Dogs Not Subject of at Common Law.—The doctrine of the common law recognized by Virginia statutes was that dogs were not the subject of larceny.

[Ed. Note.—For other cases, see 9 Va.-W. Va. Enc. Dig. 217.]

Error to Corporation Court of Roanoke.

Herman Blankenship was convicted of grand larceny, and brings error. Reversed and remanded.

John G. Challice, of Roanoke, for plaintiff in error.

John R. Saunders, *Atty. Gen.*, and *J. D. Hank, Jr.*, *Asst. Atty. Gen.*, and *Leon M. Bazile*, *2d Asst. Atty. Gen.*, for the Commonwealth.

CITY OF WILLIAMSBURG v. LYELL.

June 15, 1922.

[112 S. E. 666-7.]

1. Municipal Corporations (§ 225 (1*))—City May Alienate Property Owned by It Not Appropriated for Public Use.—Property owned by a city for governmental purposes and appropriated for the public use is impressed with a trust and cannot be disposed of except by

*For other cases see same topic and KEY-NUMBER in all Key-Numbered Digests and Indexes.